

1 This objection has been filed pursuant to Civil Rule 45(d)(1) and any notices of
 2 hearing or motions regarding this subpoena duces tecum are to be sent directly to counsel
 3 designated below at the following address:

4 Office of the Attorney General
 5 900 Fourth Avenue Suite 2000
 6 Seattle, WA 98164
 (206) 464-7045

7 All scheduling of hearings with proper notice are to be coordinated through the
 8 undersigned Assistant Attorney General for the Department of Social and Health Services at
 9 the above-stated address and telephone number.

10 On the basis of the foregoing, the Department of Social and Health Services objects
 11 to the improper subpoena duces tecum issued by attorneys for The Corporation of the
 12 President of the Church of Jesus Christ of Latter-Day Saints.

13 DATED this 28th day of August, 2006.

14 Presented by:

15 ROB MCKENNA
 16 Attorney General

17 By 
 18 HILERY M. KIRCHMEIER
 19 Assistant Attorney General
 20 WSBA #30729
 21
 22
 23
 24
 25

FILED

2006 AUG 29 PM 2:36

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

ROB RINDE f/k/a ROBERT LARRY
LEROY PITSOR, JR.,

Plaintiff,

v.

THE CORPORATION OF THE
PRESIDENT OF THE CHURCH OF
JESUS CHRIST OF LATTER-DAY
SAINTS, a Utah corporation sole, aka the
"MORMON CHURCH" THE CHURCH
OF JESUS CHRIST OF LATTER-DAY
SAINTS, an unincorporated association,

Defendant.

Cause No. 06-2-09825-1 SEA

OBJECTION TO SUBPOENA DUCES
TECUM

COMES NOW the Department of Social and Health Services, by and through its attorneys, Rob McKenna, Attorney General and Hilery M. Kirchmeier, Assistant Attorney General, and objects pursuant to the provisions of CR 45(d)(1) to the subpoena duces tecum dated August 21, 2006 directed to Records Custodian, Child Protective Services, King East Office, Washington State Department of Social and Health Services, 805 -156th Ave NE, Bellevue, WA 98007, and issued by Charles C. Gordon and Jeffrey I. Tilden attorneys for The Corporation of the President of the Church of Jesus Christ of Latter-Day Saints, for the

OBJECTION TO SUBPOENA DUCES TECUM
Rev. 04/01 pp

1

ATTORNEY GENERAL OF WASHINGTON
900 Fourth Avenue, Suite 2000
Seattle, WA 98164
(206) 464-7744

ORIGINAL

1 inspection and production of child protective services records relating to Robert Paul Rinde
2 aka Robert Larry Leroy Pitsor and Paul Lewis.

3 This objection to the subpoena duces tecum is based on the following grounds:

4 1. Pursuant to the Child Abuse Prevention and Treatment Act and specifically
5 42 USC § 5106a(b) states are required to provide methods to preserve the confidentiality of
6 all records in order to protect the rights of the child and the child's parents.

7 2. Pursuant to 45 CFR § 1340.20 states are required to "hold all information
8 related to personal facts or circumstances about individuals" involved in child abuse
9 programs or projects as confidential. Further, 45 CFR § 1340.14(i)(I) states the
10 unauthorized disclosure of child protective services records is a criminal offense.

11 3. Under Title 74 "Public Assistance," RCW 74.04.060 provides for the
12 confidentiality of DSHS records in general including CPS records and public assistance
13 records. RCW 74.04.060 requires the confidentiality of DSHS records and states that "for
14 the protection of applicants and recipients, the department ... (is) prohibited except as
15 hereinafter provided from disclosing the contents of any records ... except for purposes
16 directly connected with the administration of the programs of this title". RCW 74.04.060
17 further states that in any judicial proceeding, except those directly concerned with the
18 administration of these programs, such records and their contents, shall be deemed
19 privileged communications". In this case the records are being sought in a civil proceeding
20 which is not directly connected with any program under Title 74.

21 4. Mr. Rinde and Mr. Pitsor are considered by the Department to be applicants
22 and recipients of services provided pursuant to Title 74 and thus under RCW 74.04.060
23 these CPS records are privileged.

24 5. DSHS records are confidential and privileged under RCW 13.50 and can
25 only be released as provided by that statute. RCW 13.50.100.

26 OBJECTION TO SUBPOENA DUCES TECUM
Rev. 04/01 pp

2

ATTORNEY GENERAL OF WASHINGTON
900 Fourth Avenue, Suite 2000
Seattle, WA 98164
(206) 464-7744

1 This objection has been filed pursuant to Civil Rule 45(d)(1) and any notices of
2 hearing or motions regarding this subpoena duces tecum are to be sent directly to counsel
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4 Office of the Attorney General
5 900 Fourth Avenue Suite 2000
6 Seattle, WA 98164
(206) 464-7045

7 All scheduling of hearings with proper notice are to be coordinated through the
8 undersigned Assistant Attorney General for the Department of Social and Health Services at
9 the above-stated address and telephone number.

10 On the basis of the foregoing, the Department of Social and Health Services objects
11 to the improper subpoena duces tecum issued by attorneys for The Corporation of the
12 President of the Church of Jesus Christ of Latter-Day Saints.

13 DATED this 28th day of August, 2006.

14 Presented by:

15 ROB MCKENNA
16 Attorney General

17 By Hilery M. Kirchmeier
18 HILERY M. KIRCHMEIER
19 Assistant Attorney General
20 WSBA #30729
21
22
23
24
25

FILED
2006 AUG 29 PM 12:07
KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

**SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON**

ROB RINDE F/K/A ROBERT LARRY LEROY
PITSOR, JR

Plaintiff/Petitioner

Cause #: 06-2-09825-1
SEA

Declaration of Service of:

vs.
THE CORPORATION OF THE PRESIDENT OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS, A UTAH CORPORATION SOLE,
AKA "THE MORMON CHURCH" THE CHURCH
OF JESUS CHRIST OF LATTER-DAY SAINTS,
AN UNINCORPORATED ASSOCIATION,

Defendant/Respondent

SUBPOENA DUCES TECUM; LETTER; WITNESS FEE
CHECK; DECLARATION OF CUSTODIAN OF RECORDS;

Hearing Date: Sep 14 2006

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

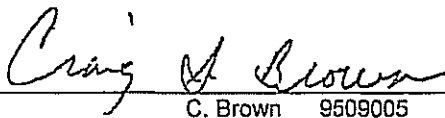
On the date and time of Aug 23 2006 2:35PM at the address of 805 156TH AVE NE BELLEVUE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon RECORDS CUSTODIAN FOR KING EAST DCFS OFFICE, STATE OF WASHINGTON DEPT OF SOCIAL AND HEALTH SERVICES by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with MARY MENARD, OFFICE ASSISTANT.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: August 28, 2006 at Seattle, WA

by


C. Brown 9509005

Service Fee Total: \$ 69.20

ABC Legal Services, Inc.
206 521-9000
Tracking #: 1763701



**ORIGINAL
PROOF OF SERVICE**

Gordon, Murray & Tilden
1001 4th Ave, #4000
Seattle, WA 98154
206 467-6477

Exhibit

Page 255

Page 1 of 1

FILED

2006 AUG 29 PM 12:07

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

**SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON**

ROB RINDE F/K/A ROBERT LARRY LEROY
PITSOR, JR

Plaintiff/Petitioner

Cause #: 06-2-09825-1
SEA

Declaration of Service of:

vs.

THE CORPORATION OF THE PRESIDENT OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS, A UTAH CORPORATION SOLE,
AKA THE "MORMON CHURCH" THE CHURCH
OF JESUS CHRIST OF LATTER-DAY SAINTS,
AN UNINCORPORATED ASSOCIATION,

Defendant/Respondent

SUBPOENA DUCES TECUM; LETTER; WITNESS FEE
CHECK; DECLARATION OF CUSTODIAN OF RECORDS;

Hearing Date: Sep 14 2006

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

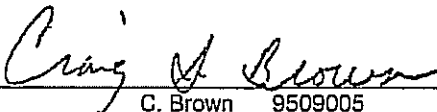
On the date and time of Aug 23 2006 2:00PM at the address of 130 E SUNSET WY SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon RECORDS CUSTODIAN FOR ISSAQUAH POLICE DEPARTMENT by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with RANA HOOVER, RECORDS CLERK.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: August 28, 2006 at Seattle, WA

by


C. Brown 9509005

Service Fee Total: \$ 77.60



FILED
2006 AUG 29 PM 12:07
KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

**SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON**

ROB RINDE F/K/A ROBERT LARRY LEROY
PITSOR, JR
Plaintiff/Petitioner

Cause #: 06-2-09825-1
SEA

vs.
THE CORPORATION OF THE PRESIDENT OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS, A UTAH CORPORATION SOLE,
AKA THE "MORMON CHURCH" THE CHURCH
OF JESUS CHRIST OF LATTER-DAY SAINTS,
AN UNINCORPORATED ASSOCIATION,
Defendant/Respondent

Declaration of Service of:
SUBPOENA DUCES TECUM; LETTER; WITNESS FEE
CHECK; DECLARATION OF CUSTODIAN OF RECORDS;

Hearing Date: Sep 14 2006

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.


On the date and time of Aug 23 2006 2:35PM at the address of 805 156TH AVE NE BELLEVUE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon RECORDS CUSTODIAN FOR CHILD PROTECTIVE SERVICES, KING EAST DCFS OFFICE, WASH STATE DEPT OF SOCIAL AND HEALTH SERVICES by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with MARY MENARD, OFFICE ASSISTANT.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: August 28, 2006 at Seattle, WA

by


C. Brown 9509005

Service Fee Total: \$ 19.00



FILED

2006 AUG 29 PM 2:36

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

ROB RINDE f/k/a ROBERT LARRY
LEROY PITSOR, JR.,

Plaintiff,

v.

THE CORPORATION OF THE
PRESIDENT OF THE CHURCH OF
JESUS CHRIST OF LATTER-DAY
SAINTS, a Utah corporation sole, aka the
"MORMON CHURCH" THE CHURCH
OF JESUS CHRIST OF LATTER-DAY
SAINTS, an unincorporated association,

Defendant.

Cause No. 06-2-09825-1 SEA

OBJECTION TO SUBPOENA DUCES
TECUM

COMES NOW the Department of Social and Health Services, by and through its attorneys, Rob McKenna, Attorney General and Hilery M. Kirchmeier, Assistant Attorney General, and objects pursuant to the provisions of CR 45(d)(1) to the subpoena duces tecum dated August 21, 2006 directed to Records Custodian, King West DCFS Office, State of Washington Department of Social and Health Services, 100 West Harrison Street, Seattle, WA 98119-4116, and issued by Charles C. Gordon and Jeffrey I. Tilden attorneys for The Corporation of the President of the Church of Jesus Christ of Latter-Day Saints, for the

OBJECTION TO SUBPOENA DUCES TECUM

I

ATTORNEY GENERAL OF WASHINGTON
900 Fourth Avenue, Suite 2000
Seattle, WA 98164
(206) 464-7744

Rev. 04/01 pp

1 inspection and production of child protective services records relating to Anne Mitchell
2 Rinde aka Joyce Ann Pitsor and Robert Paul Rinde aka Robert Larry Leroy Pitsor.

3 This objection to the subpoena duces tecum is based on the following grounds:

4 1. Pursuant to the Child Abuse Prevention and Treatment Act and specifically
5 42 USC § 5106a(b) states are required to provide methods to preserve the confidentiality of
6 all records in order to protect the rights of the child and the child's parents.

7 2. Pursuant to 45 CFR § 1340.20 states are required to "hold all information
8 related to personal facts or circumstances about individuals" involved in child abuse
9 programs or projects as confidential. Further, 45 CFR § 1340.14(i)(I) states the
10 unauthorized disclosure of child protective services records is a criminal offense.

11 3. Under Title 74 "Public Assistance," RCW 74.04.060 provides for the
12 confidentiality of DSHS records in general including CPS records and public assistance
13 records. RCW 74.04.060 requires the confidentiality of DSHS records and states that "for
14 the protection of applicants and recipients, the department ... (is) prohibited except as
15 hereinafter provided from disclosing the contents of any records ... except for purposes
16 directly connected with the administration of the programs of this title". RCW 74.04.060
17 further states that in any judicial proceeding, except those directly concerned with the
18 administration of these programs, such records and their contents, shall be deemed
19 privileged communications". In this case the records are being sought in a civil proceeding
20 which is not directly connected with any program under Title 74.

21 4. Mr. Rinde and Mr. Pitsor are considered by the Department to be applicants
22 and recipients of services provided pursuant to Title 74 and thus under RCW 74.04.060
23 these CPS records are privileged.

24 5. DSHS records are confidential and privileged under RCW 13.50 and can
25 only be released as provided by that statute. RCW 13.50.100.

26 OBJECTION TO SUBPOENA DUCES TECUM

2

Rev. 04/01 pp

ATTORNEY GENERAL OF WASHINGTON
900 Fourth Avenue, Suite 2000
Seattle, WA 98164
(206) 464-7744

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4 Office of the Attorney General
5 900 Fourth Avenue Suite 2000
6 Seattle, WA 98164
(206) 464-7045


7 All scheduling of hearings with proper notice are to be coordinated through the
8 undersigned Assistant Attorney General for the Department of Social and Health Services at
9 the above-stated address and telephone number.

10 On the basis of the foregoing, the Department of Social and Health Services objects
11 to the improper subpoena duces tecum issued by attorneys for The Corporation of the
12 President of the Church of Jesus Christ of Latter-Day Saints.

13 DATED this 28th day of August, 2006.

14 Presented by:

15 ROB MCKENNA
16 Attorney General

17 By 
18 HILERY M. KIRCHMEIER
19 Assistant Attorney General
20 WSBA #30729
21
22
23
24
25

26 OBJECTION TO SUBPOENA DUCES TECUM

3

ATTORNEY GENERAL OF WASHINGTON

Rev. 04/01 pp

900 Fourth Avenue, Suite 2000
Seattle, WA 98164
(206) 464-7744

FILED

2006 AUG 30 AM 9:43

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

**SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON**

ROB RINDE F/K/A ROBERT LARRY LEROY
PITSOR, JR
Plaintiff/Petitioner

Cause #: 06-2-09825-1
SEA

vs.
THE CORPORATION OF THE PRESIDENT OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS, A UTAH CORPORATION SOLE, AKA
THE "MORMON CHURCH" THE CHURCH OF
JESUS CHRIST OF LATTER-DAY SAINTS, AN
UNINCORPORATED ASSOCIATION
Defendant/Respondent

Declaration of Service of:

SUBPOENA DUCES TECUM; LETTER; WITNESS FEE
CHECK; DECLARATION OF CUSTODIAN OF RECORDS;

Hearing Date: Sep 14 2006

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of Aug 23 2006 1:26PM at the address of 521 WALL ST SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon RECORDS CUSTODIAN FOR ADMINISTRATIVE CENTER, GROUP HEALTH by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with ELIZABETH DONALDSON, RISK MANAGEMENT.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: August 29, 2006 at Seattle, WA

by


J. Bradford

Service Fee Total: \$ 46.35

ABC Legal Services, Inc.
206 521-9000
Tracking #: 3384923



**ORIGINAL
PROOF OF SERVICE**

Gordon, Murray & Tilden
1001 4th Ave, #4000
Seattle, WA 98154
206 467-6477

FILED

2006 AUG 30 AM 9:43

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

**SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON**

ROB RINDE F/K/A ROBERT LARRY LEROY
PITSOR, JR

Plaintiff/Petitioner

Cause #: 06-2-09825-1
SEA

Declaration of Service of:

vs.

THE CORPORATION OF THE PRESIDENT OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS, A UTAH CORPORATION SOLE, AKA
THE "MORMON CHURCH" THE CHURCH OF
JESUS CHRIST OF LATTER-DAY SAINTS, AN
UNINCORPORATED ASSOCIATION

Defendant/Respondent

SUBPOENA DUCES TECUM TO RECORDS CUSTODIAN
KING EAST DCFS OFFICE (2); SUBPOENA DUCES TECUM
TO RECORDS CUSTODIAN KING WEST DCFS OFFICE;
SUBPOENA DUCES TECUM TO RECORDS CUSTODIAN
STATE OF WASHINGTON DEPARTMENT OF SOCIAL AND
HEALTH SERVICES;

Hearing Date: Sep 14 2006

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of Aug 23 2006 12:00PM at the address of 900 4TH AVE STE 2000 SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon ATTORNEY GENERAL OF WASHINGTON by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with NEWELL SMITH, ASSISTANT ATTORNEY GENERAL.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: August 29, 2006 at Seattle, WA

by


J. Bradford

Service Fee Total: \$ 46.35

ABC Legal Services, Inc.
206 521-9000
Tracking #: 1763698



**ORIGINAL
PROOF OF SERVICE**

Exhibit Page 262

1 of 1

Gordon, Murray & Tilden
1001 4th Ave, #4000
Seattle, WA 98154
206 467-6477

FILED

2006 AUG 30 AM 9:43

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

**SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON**

ROB RINDE F/K/A ROBERT LARRY LEROY
PITSOR, JR
Plaintiff/Petitioner

Cause #: 06-2-09825-1
SEA

vs.
THE CORPORATION OF THE PRESIDENT OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS, A UTAH CORPORATION SOLE, AKA
THE "MORMON CHURCH" THE CHURCH OF
JESUS CHRIST OF LATTER-DAY SAINTS, AN
UNINCORPORATED ASSOCIATION;
Defendant/Respondent

Declaration of Service of:
SUBPOENA DUCES TECUM; LETTER; WITNESS FEE
CHECK; DECLARATION OF CUSTODIAN OF RECORDS;

Hearing Date: Sep 14 2006

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of Aug 24 2006 1:20PM at the address of 1959 NE PACIFIC ST SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon RECORDS CUSTODIAN FOR UNIVERSITY OF WASHINGTON MEDICAL CENTER by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with CHRISTINE BECERRA, MEDICAL RECORDS CUSTODIAN.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: August 29, 2006 at Seattle, WA

by 
T. Peterson

Service Fee Total: \$ 57.05



FILED

2006 AUG 30 AM 9:43

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

**SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON**

ROB RINDE F/K/A ROBERT LARRY LEROY
PITSOR, JR
Plaintiff/Petitioner

Cause #: 06-2-09825-1
SEA

vs.
THE CORPORATION OF THE PRESIDENT OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS, A UTAH CORPORATION SOLE, AKA THE
"MORMON CHURCH" THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS, AN
UNINCORPORATED ASSOCIATION
Defendant/Respondent

Declaration of Service of:

SUBPOENA DUCES TECUM; LETTER; WITNESS FEE
CHECK; DECLARATION OF CUSTODIAN OF RECORDS;

Hearing Date: Sep 14 2006

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.


On the date and time of Aug 23 2006 11:09AM at the address of 516 THIRD AVE SUITE W554 SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon RECORDS CUSTODIAN FOR OFFICE OF THE KING COUNTY PROSECUTING ATTORNEY by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with DIANA CHERBERG, SECRETARY IN THE OFFICE OF THE KING COUNTY PROSECUTING ATTORNEY.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: August 29, 2006 at Seattle, WA

by


J. Bradford

Service Fee Total: \$ 46.35



FILED

2006 AUG 31 PM 12:36

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON

ROB RINDE F/K/A ROBERT LARRY LEROY
PITSOR, JR

Plaintiff/Petitioner

Cause #: 06-2-09825-1
SEA

Declaration of Service of:

vs.
THE CORPORATION OF THE PRESIDENT OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS, A UTAH CORPORATION SOLE, AKA
THE "MORMON CHURCH" THE CHURCH OF
JESUS CHRIST OF LATTER-DAY SAINTS,
AN UNINCORPORATED ASSOCIATION,

Defendant/Respondent

SUBPOENA DUCES TECUM; LETTER; WITNESS FEE
CHECK; DECLARATION OF CUSTODIAN OF RECORDS;

Hearing Date: Sep 11 2006

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

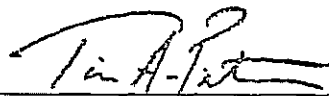
On the date and time of Aug 23 2006 2:50PM at the address of 1001 BROADWAY SUITE 315 SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon RECORDS CUSTODIAN FOR OFFICES OF LESLIE H. RAWLINGS, PH.D by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with AMANDA WATNEY, ASSISTANT 27 120# 5'6" C/F BLACK HAIR.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: August 30, 2006 at Seattle, WA

by



T. Peterson

Service Fee Total: \$ 51.35



FILED

2006 AUG 31 PM 12:36

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON

ROB RINDE F/K/A ROBERT LARRY LEROY
PITSOR, JR

Plaintiff/Petitioner

Cause #: 06-2-09825-1
SEA

Declaration of Service of:

vs.

THE CORPORATION OF THE PRESIDENT OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS, A UTAH CORPORATION SOLE, AKA
THE "MORMON CHURCH" THE CHURCH OF
JESUS CHRIST OF LATTER-DAY SAINTS, AN
UNINCORPORATED ASSOCIATION,

Defendant/Respondent

SUBPOENA DUCES TECUM; LETTER; WITNESS FEE
CHECK; DECLARATION OF CUSTODIAN OF RECORDS;

Hearing Date: Sep 14 2006

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of Aug 23 2006 3:11PM at the address of 401 BROADWAY SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon RECORDS CUSTODIAN FOR HARBORVIEW MEDICAL CENTER by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with ILONA KELLISON BULLARD, RELEASE OF INFORMATION TECHNICIAN 45 160# 5'4" C/F BROWN HAIR.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: August 30, 2006 at Seattle, WA

by



T. Peterson

Service Fee Total: \$ 74.20



FILED
2006 SEP -1 AM 10:09
KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

**SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON**

ROB RINDE F/K/A ROBERT LARRY LEROY
PITSOR, JR
Plaintiff/Petitioner

Cause #: 06-2-09825-1
SEA

vs.
THE CORPORATION OF THE PRESIDENT OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS, A UTAH CORPORATION SOLE, ET AL.,
Defendant/Respondent

Declaration of Service of:

SUBPOENA DUCES TECUM; LETTER; WITNESS FEE
CHECK; DECLARATION OF CUSTODIAN OF RECORDS;

Hearing Date: Sep 14 2006

Declaration:

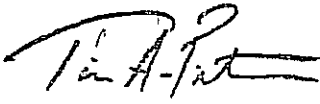
The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of Aug 23 2006 11:02AM at the address of 100 W HARRISON ST SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon RECORDS CUSTODIAN FOR KING WEST DCPS OFFICE, STATE OF WASH DEPT OF SOCIAL AND HEALTH SERVICES by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with MONIQUE RAMOS, OFFICE STAFF. 40 230# 5'5" C/F BLACK HAIR.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: August 30, 2006 at Seattle, WA

by 
T. Peterson

Service Fee Total: \$ 51.35



FILED

06 SEP 22 PM 5:14

KING COUNTY
SUPERIOR COURT CLERK-
SEATTLE, WA.

The Hon. William L. Downing

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

ROB RINDE f/k/a ROBERT LARRY LEROY
PITSOR, JR.,

Plaintiff,

v.

THE CORPORATION OF THE PRESIDENT
OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation
sole, aka the "MORMON CHURCH" THE
CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, an unincorporated association,

Defendant.

NO. 06-2-09825-1 SEA

NOTICE OF DEPOSITION OF
RECORDS CUSTODIAN FOR
GROUP HEALTH COOPERATIVE

TO: Cheryl Durand
Group Health Cooperative

TO: Plaintiff Robert Rinde f/k/a Robert Larry Leroy Pitsor, Jr.

TO: Michael T. Pfau and Michelle A. Menely
Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim LLP

TO: Timothy D. Kosnoff
Law Offices of Timothy D. Kosnoff

NOTICE OF DEPOSITION OF RECORDS CUSTODIAN- 1
GROUP HEALTH COOPERATIVE

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

PLEASE TAKE NOTICE that the deposition of the records custodian for Group Health Cooperative will be taken upon oral examination at the instance and request of Defendant The Corporation of the President of the Church of Jesus Christ of Latter-day Saints ("COP") before a notary public or other duly qualified person on October 2, 2006, at 9:00 a.m. at the law offices of Gordon Murray Tilden LLP, 1001 Fourth Avenue, Suite 4000, Seattle, Washington.

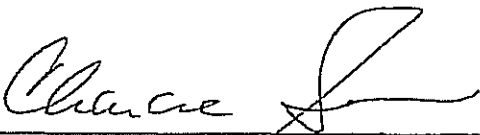
Cheryl Durand
Patient Data Services
Eastside Hospital/Group Health Cooperative
2700 152nd Ave. N.E., MS EMB-B243
Redmond, Washington 98052-5543
Telephone: (425) 883-5585

Michael T. Pfau and Michelle A. Menely
Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim LLP
600 University, Suite 2100
Seattle, WA 98101-4185
Telephone: (206) 676-7500

Timothy D. Kosnoff
Law Offices of Timothy D. Kosnoff
600 University Street, Suite 2101
Seattle, WA 98101
Telephone: (206) 676-7610

DATED this 22 day of September 2006

GORDON MURRAY TILDEN LLP

By 
Charles C. Gordon, WSBA #1773
Jeffrey I. Tilden, WSBA # 12219

Attorneys for Defendant, The Corporation of the
President of the Church of Jesus Christ of Latter-
Day Saints

NOTICE OF DEPOSITION OF RECORDS CUSTODIAN-2
GROUP HEALTH COOPERATIVE

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

DECLARATION OF SERVICE

The undersigned hereby certifies that on the date indicated below, true and correct copies of the foregoing document were served at the following addresses via the methods indicated:

Cheryl Durand
Patient Data Services
Eastside Hospital/Group Health Cooperative
2700 152nd Ave. N.E., MS EMB-B243
Redmond, Washington 98052-5543
Telephone: (425) 883-5585
(X) First Class Mail () Hand Delivery () Via e-mail

Michael T. Pfau and Michelle A. Menely
Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim LLP
600 University, Suite 2100
Seattle, WA 98101-4185
(X) First Class Mail () Hand Delivery () Via e-mail

Timothy D. Kosnoff
Law Offices of Timothy D. Kosnoff
600 University Street, Suite 2101
Seattle, WA 98101
(X) First Class Mail () Hand Delivery () Via e-mail

King County Superior Court
516 Third Avenue Rm E-609
Seattle, WA 98104
() First Class Mail (X) Hand Delivery () Via e-mail

DATED this ____ day of September 2006

Jessica Bukowski
Jessica Bukowski

NOTICE OF DEPOSITION OF RECORDS CUSTODIAN-3
GROUP HEALTH COOPERATIVE

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

FILED

06 SEP 22 PM 5:14

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

The Hon. William L. Downing

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

ROB RINDE f/k/a ROBERT LARRY LEROY
PITSOR, JR.,

Plaintiff,

v.

THE CORPORATION OF THE PRESIDENT
OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation
sole, aka the "MORMON CHURCH" THE
CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, an unincorporated association,

Defendant.

NO. 06-2-09825-1 SEA

SUBPOENA DUCES TECUM,
DIRECTED TO RECORDS
CUSTODIAN FOR GROUP HEALTH
COOPERATIVE

TO: Cheryl Durand
Patient Data Services
Eastside Hospital/Group Health Cooperative
2700 152nd Ave. N.E., MS EMB-B243
Redmond, Washington 98052-5543
Telephone: (425) 883-5585

YOU ARE HEREBY COMMANDED to appear at the offices of Gordon Murray Tilden,
LLP, 1001 Fourth Avenue, Suite 4000, Seattle, Washington 98154 on Monday, **October 2, 2006**,

SUBPOENA DUCES TECUM, GROUP HEALTH COOPERATIVE
- 1

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

1 at 9:00 a.m., or at some otherwise mutually agreed upon place and time, to testify at the taking
2 of a deposition in the above case.
3

4
5 You are further commanded to bring with you and produce at that time the following
6 documents:
7

8
9 1. Any and all records in your possession relating to Robert Paul Rinde aka Robert
10 Larry Leroy Pitsor, (date of birth: 12/8/69) believed to have received medical treatment as a
11 minor child during the period 1969-1988. Mr. Rinde/Pitsor's mother is Anne Mitchell Rinde aka
12 Joyce Ann Pitsor.
13
14

15
16 COUNSEL FOR PLAINTIFF WILL WAIVE APPEARANCE IF COPIES OF THE
17 RECORDS ARE RECEIVED IN ADVANCE OF THE DATE SET OUT ABOVE.
18
19

20
21 HOW TO COMPLY WITH THE SUBPOENA:
22

23 If you have not received a Protective Order barring release of these records by
24 September 25, 2006, you may comply with this subpoena by providing complete and legible
25 copies of the documents requested above to the undersigned attorneys.
26
27

28
29 If you follow such procedure, then please sign and return the attached Declaration of
30 Records Custodian along with the records.
31

32
33 FAILURE TO OBEY THIS SUBPOENA MAY BE DEEMED A CONTEMPT OF THE
34 COURT.
35

36
37 For your information, counsel for Robert Paul Rinde are:
38

39 Michael T. Pfau and Michelle A. Menely
40 Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim LLP
41 600 University Street, Suite 2100
42 Seattle, WA 98101-4185
43 Telephone: (206) 676-7500
44
45
46

1 Timothy D. Kosnoff
2 Law Offices of Timothy D. Kosnoff
3 600 University Street, Suite 2101
4 Seattle, WA 98101
5 Telephone: (206) 676-7610
6
7

8 DATED this 22 day of September, 2006
9

10
11 GORDON MURRAY TILDEN LLP
12

13
14 By 

15 Charles C. Gordon, WSBA #1773

16 Jeffrey I. Tilden, WSBA #12219

17 Attorneys for Defendant The Corporation of the
18 President of the Church of Jesus Christ of Latter-Day
19 Saints
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SUBPOENA DUCES TECUM, GROUP HEALTH COOPERATIVE

- 3

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

DECLARATION OF CUSTODIAN OF RECORDS

Re: Robert Paul Rinde

I, _____, being the duly authorized Custodian of Records
at:

Facility: Eastside Hospital/Group Health Cooperative
Address: 2700 152nd Ave. N.E., MS EMB-B243
City: Redmond, Washington

do declare:

- () That as of the date of this declaration, I have supplied a true copy of all records requested by Defendant The Corporation of the President of the Church of Jesus Christ of Latter-Day Saints related to the above-mentioned matter, which were kept and maintained by this facility in the usual course of business.
- () That as of the date of this declaration, no records requested by Defendant The Corporation of the President of the Church of Jesus Christ of Latter-Day Saints related to the above-mentioned matter are in the possession of this facility.

Pursuant to RCW 9A.72.085, I hereby certify and declare under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Executed this ____ day of _____, 2006, at _____,
Washington.

Custodian Signature: _____

[Subpoena Duces Tecum—Group Health Cooperative]

DECLARATION OF SERVICE

The undersigned hereby certifies that on the date indicated below, true and correct copies of the foregoing document were served at the following addresses via the methods indicated:


Cheryl Durand
Patient Data Services
Eastside Hospital/Group Health Cooperative
2700 152nd Ave. N.E., MS EMB-B243
Redmond, Washington 98052-5543
Telephone: (425) 883-5585
(X) First Class Mail () Hand Delivery () Via e-mail

Michael T. Pfau and Michelle A. Menely
Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim LLP
600 University, Suite 2100
Seattle, WA 98101-4185
(X) First Class Mail () Hand Delivery () Via e-mail

Timothy D. Kosnoff
Law Offices of Timothy D. Kosnoff
600 University Street, Suite 2101
Seattle, WA 98101-4161
(X) First Class Mail () Hand Delivery () Via e-mail

King County Superior Court
516 Third Avenue, Rm. E-609
Seattle, WA 98104-2363
() First Class Mail (X) Hand Delivery () Via e-mail

DATED this ____ day of September 2006



Jessica Bukowski

SUBPOENA DUCES TECUM, GROUP HEALTH COOPERATIVE

- 5

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

FILED

06 SEP 22 PM 5:14

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

The Hon. William L. Downing

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

ROB RINDE f/k/a ROBERT LARRY LEROY
PITSOR, JR.,

Plaintiff,

v.

THE CORPORATION OF THE PRESIDENT
OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation
sole, aka the "MORMON CHURCH" THE
CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, an unincorporated association,

Defendant.

NO. 06-2-09825-1 SEA

SUBPOENA DUCES TECUM,
DIRECTED TO RECORDS
CUSTODIAN FOR BILLING
DEPARTMENT, GROUP HEALTH
COOPERATIVE

TO: Records Custodian
Billing Department
Group Health Cooperative
P.O. Box 200
Spokane, WA 99210-0200

YOU ARE HEREBY COMMANDED to appear at the offices of Gordon Murray Tilden,
LLP, 1001 Fourth Avenue, Suite 4000, Seattle, Washington 98154 on Monday, October 2, 2006,
at 9:30 a.m., or at some otherwise mutually agreed upon place and time, to testify at the taking
of a deposition in the above case.

SUBPOENA DUCES TECUM, GROUP HEALTH BILLING
DEPARTMENT - 1

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

1 You are further commanded to bring with you and produce at that time the following
2 documents:
3

4
5 1. Any and all records in your possession relating to Robert Paul Rinde aka Robert
6
7 Larry Leroy Pitsor, (date of birth: 12/8/69) believed to have received medical treatment as a
8
9 minor child during the period 1969-1988. Mr. Rinde/Pitsor's mother is Anne Mitchell Rinde aka
10
11 Joyce Ann Pitsor.
12

13 COUNSEL FOR PLAINTIFF WILL WAIVE APPEARANCE IF COPIES OF THE
14
15 RECORDS ARE RECEIVED IN ADVANCE OF THE DATE SET OUT ABOVE.
16

17 HOW TO COMPLY WITH THE SUBPOENA:
18

19 If you have not received a Protective Order barring release of these records by
20
21 September 25, 2006, you may comply with this subpoena by providing complete and legible
22
23 copies of the documents requested above to the undersigned attorneys.
24

25 If you follow such procedure, then please sign and return the attached Declaration of
26
27 Records Custodian along with the records.
28

29 FAILURE TO OBEY THIS SUBPOENA MAY BE DEEMED CONTEMPT OF THE
30
31 COURT.
32

33 For your information, counsel for Robert Paul Rinde are:
34

35 Michael T. Pfau and Michelle A. Menely
36 Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim LLP
37 600 University, Suite 2100
38 Seattle, WA 98101-4185
39 Telephone: (206) 676-7500
40

41 Timothy D. Kosnoff
42 Law Offices of Timothy D. Kosnoff
43 600 University Street, Suite 2101
44 Seattle, WA 98101-4161
45 Telephone: (206) 676-7610
46

SUBPOENA DUCES TECUM, GROUP HEALTH BILLING
DEPARTMENT - 2

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

1
2
3 DATED this 22 day of September 2006
4
5

6 GORDON MURRAY TILDEN LLP
7

8
9 By 

10 Charles C. Gordon, WSBA #1773

11 Jeffrey I. Tilden, WSBA #12219

12 Attorneys for Defendant The Corporation of the
13 President of the Church of Jesus Christ of Latter-day
14 Saints
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SUBPOENA DUCES TECUM, GROUP HEALTH BILLING
DEPARTMENT - 3

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

DECLARATION OF CUSTODIAN OF RECORDS

Re: Robert Paul Rinde

I, _____, being the duly authorized Custodian of Records
at:

Facility: Group Health Cooperative, Billing Department
Address: P.O. Box 200
City: Spokane, Washington

do declare:

() That as of the date of this declaration, I have supplied a true copy of all records requested by Defendant The Corporation of the President of the Church of Jesus Christ of Latter-day Saints related to the above-mentioned matter, which were kept and maintained by this facility in the usual course of business.

() That as of the date of this declaration, no records requested by Defendant The Corporation of the President of the Church of Jesus Christ of Latter-day Saints related to the above-mentioned matter are in the possession of this facility.

Pursuant to RCW 9A.72.085, I hereby certify and declare under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Executed this ____ day of _____, 2006, at _____,
Washington.

Custodian Signature: _____

[Subpoena Duces Tecum--Group Health Cooperative Billing Dept.]

SUBPOENA DUCES TECUM, GROUP HEALTH BILLING
DEPARTMENT -4

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

DECLARATION OF SERVICE

The undersigned hereby certifies that on the date indicated below, true and correct copies of the foregoing document were served at the following addresses via the methods indicated:

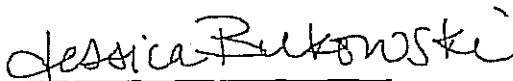
Group Health Cooperative
Billing Department
P.O. Box 200
Spokane, WA 99210-0200
(X) First Class Mail () Hand Delivery () Via e-mail

Michael T. Pfau and Michelle A. Menely
Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim LLP
600 University, Suite 2100
Seattle, WA 98101-4185
(X) First Class Mail () Hand Delivery () Via e-mail

Timothy D. Kosnoff
Law Offices of Timothy D. Kosnoff
600 University Street, Suite 2101
Seattle, WA 98101-4161
(X) First Class Mail () Hand Delivery () Via e-mail

King County Superior Court
516 Third Avenue, Rm. E-609
Seattle, WA 98104-2363
() First Class Mail (X) Hand Delivery () Via e-mail

DATED this ____ day of September 2006



Jessica Bukowski

SUBPOENA DUCES TECUM, GROUP HEALTH BILLING
DEPARTMENT - 5

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

FILED
KING COUNTY, WASHINGTON

OCT 02 2006

DEPARTMENT OF
JUDICIAL ADMINISTRATION

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

RINDE FKA

Plaintiff(s),

vs.

CORP OF THE PRES OF THE CHURCH OF LATT

Defendant(s)

NO. 06-2-09825-1 SEA

COURT'S ORDER TO SHOW CAUSE
(Clerk's Action Required)

SCOMIS CODE: ORTSC

Hearing Date: **NOV 02 2006**

This Court, having reviewed the legal file herein, and, determining that certain required filings do not appear of record, or that parties have indicated a problem on the Confirmation of Joinder, enters the following order:

- I. ☐ The following parties are to appear in Room E713 at the King County Courthouse, 516 Third Avenue, Seattle, WA on _____ at 2:30 PM to review these issues from the Confirmation of Joinder:

- ☐ Plaintiff / Petitioner
☐ Defendant / Respondent
☐ Third Party
☐ Other _____

- II. ☒ The following counsel and/or pro se parties, shall appear in Room E713 at the King County Courthouse, 516 Third Avenue, Seattle, WA at 2:30 PM on the **NOV 02 2006** day of _____, 20____, shall then and there to show cause as to why monetary sanctions in a sum of at least \$250 or other sanctions should not be ordered.

☒ Plaintiff to appear for failure to prosecute this cause of action by filing a Confirmation of Joinder, a Statement of Arbitrability, or submitting an Order of Dismissal to the Court for entry
Or

- ☐ The following parties are to appear as after a review of the legal file upon filing of the Confirmation of Joinder shows that mandatory answers have not been filed and the case is not ready. The following action(s) should have been taken:

- ☐ Plaintiff / Petitioner
☐ Defendant / Respondent
☐ Third Party
☐ Other _____

ORDER TO SHOW CAUSE

06-2-09825-1 SEA

to have moved for default on the

- ☐ Claim
☐ Counterclaim
☐ Cross-claim
☐ Other _____

If Paragraph I is checked, the hearing will be stricken upon filing of an amended Confirmation of Joinder or a Statement of Arbitrability when the case is ready, but no later than **seven days** before the scheduled hearing. Failure to file complying document by this deadline will result in **monetary sanctions in a sum of at least \$250 or other sanctions**.

If Paragraph II is checked, the hearing on Order to Show Cause will be stricken upon compliance with the deficiencies listed. If the case is resolved and completed, a copy of the disposition order should be sent to the Chief Civil Judge. The Show Cause hearing will be stricken.

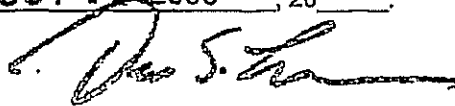
If you believe you have received this Order in error because the responsive pleading has already been filed and served pursuant to the Case Scheduling Order, or if you are going to file and serve the necessary responsive pleading after receipt of this Order, you must forward a copy of the pleading requested so that the Court receives it not later than **seven days prior** to the date of the hearing.

IF EITHER OF THE ABOVE SITUATIONS APPLY TO YOU, YOU MUST PROVIDE A WORKING COPY TO THE CHIEF CIVIL JUDGE VERY CLEARLY NOTING IN THE UPPER RIGHT HAND CORNER.

"SHOW CAUSE HEARING SET FOR NOV 02 2006

If there is no response from you **seven days prior** to the scheduled hearing, the hearing will be held as scheduled and sanctions may be imposed.

IT IS SO ORDERED THIS _____ day of OCT 02 2006, 20_____.



Judge Dean S. Lum

KING COUNTY SUPERIOR COURT

(NAMES AND ADDRESSES OF ALL PARTIES)

GORDON, CHARLES COOPER
 1001 4TH AVE STE 4000
 SEATTLE, WA 98154-1007

KOSNOFF, TIMOTHY DAVID
 600 UNIVERSITY ST STE 2100
 SEATTLE, WA 98101-4161

ORDER TO SHOW CAUSE

06-2-09825-1 SEA

TILDEN, JEFFREY IVER
1001 4TH AVE STE 4000
SEATTLE, WA 98154-1007

FILED

2008 OCT 25 AM 11:14

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

ROB RINDE f/k/a ROBERT LARRY LEROY
PITSOR, JR.,

Plaintiffs,

v.

THE CORPORATION OF THE PRESIDENT
OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation
sole; and the "MORMON CHURCH" THE
CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, an unincorporated association,

Defendants.

NO. 06-2-09825-1 SEA

CONFIRMATION OF JOINDER OF
PARTIES, CLAIMS AND DEFENSES

ASSIGNED TO THE HONORABLE
WILLIAM L. DOWNING

(CJ) (Clerk's Action Required)

I. () The parties make the following joint representations:

1. This case is **NOT** subject to mandatory arbitration.
[If it is, this report should not be filed; instead, no later than the deadline for
filing this report, a statement of arbitrability should be filed.]
2. No additional parties will be joined.
3. All parties have been served or have accepted service.
4. All mandatory pleadings have been filed.
5. No additional claims or defenses will be raised.

CONFIRMATION OF JOINDER OF PARTIES, CLAIMS ETC., - 1 of 3
[171465 v03.doc]

LAW OFFICES
GORDON, THOMAS, HONEYWELL, MALANCA,
PETERSON & DAHEIM LLP
ONE UNION SQUARE
600 UNIVERSITY, SUITE 2100
SEATTLE, WASHINGTON 98101-4105
(206) 970-7593 - FACSIMILE (206) 970-7575

ORIGINAL

6. The parties anticipate no problems in meeting the deadlines for disclosing possible witnesses and other, subsequent deadlines in the Case Schedule.
7. All parties have cooperated in completing this report.

II. ☒ The parties do not join in making the foregoing representations, as explained below (if appropriate, check both the box at left and every applicable box below.)

- ☐ This case IS subject to mandatory arbitration, but not ready yet for the Statement of Arbitrability to be filed.
- ☐ Plaintiff's will be adding other defendant(s).
- ☒ A party remains to be served.
- ☒ A mandatory pleading remains to be filed.
- ☐ An additional claim or defense will be raised.
- ☒ An additional claim or defense will be raised.
- ☐ One or more parties anticipate a problem in meeting the deadlines for disclosing possible witnesses or other, subsequent deadlines in the Case Schedule.
- ☐ A party has refused to cooperate in drafting this report.
- ☐ Other explanation:

Dated this 18 day of October 2006.

GORDON, THOMAS, HONEYWELL, MALANCA,
PETERSON & DAHEIM LLP

By 

Attorneys for Plaintiffs

Michael T. Pfau, WSBA No. 24649

mpfau@gth-law.com

Michelle A. Menely, WSBA No. 28353

mmenely@gth-law.com

Co-Counsel for Plaintiff

LAW OFFICES OF TIMOTHY D. KOSNOFF

By Timothy D. Kosnoff

Timothy D. Kosnoff, WSBA No. 16586


timkosnoff@comcast.net


Co-Counsel for Plaintiff

CONFIRMATION OF JOINDER OF PARTIES, CLAIMS ETC., - 2 of 3
[171465 v03.doc]

LAW OFFICES
GORDON, THOMAS, HONEYWELL, MALANCA,
PETERSON & DAHEIM LLP
ONE UNION SQUARE
600 UNIVERSITY, SUITE 2100
SEATTLE, WASHINGTON 98101-4105
(206) 670-7509 - FACSIMILE (206) 670-7575

GORDON MURRAY TILDEN LLP

By  WSBA 17730

 Charles C. Gordon, WSBA No. 21175
Jeffrey I. Tilden, WSBA No. 12219

Attorneys for Defendant

The Corporation of the President of the Church
of Jesus Christ of Latter-Day Saints

CONFIRMATION OF JOINDER OF PARTIES, CLAIMS ETC., - 3 of 3
[171465 v03.doc]

LAW OFFICES
GORDON, THOMAS, HONEYWELL, MALANCA,
PETERSON & DAHEIM LLP
ONE UNION SQUARE
DUO UNIVERSITY, SUITE 2100
SEATTLE, WASHINGTON 98101-1105
(206) 476-1500 • FACSIMILE (206) 476-1515

FILED

2006 OCT 30 AM 10:38

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTONROB RINDE F/K/A ROBERT LARRY
LEROY PITSOR,

Plaintiff/Petitioner

Cause #: 06-2-09825-1
SEA

vs.

THE CORPORATION OF THE PRESIDENT OF
THE CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, A UTAH CORPORATION SOLE,
AND THE "MORMON CHURCH" THE CHURCH
OF JESUS CHRIST OF LATTER-DAY SAINTS,
AN UNINCORPORATED ASSOCIATION,

Defendant/Respondent

Declaration of Service of:

AMENDED SUMMONS; AMENDED COMPLAINT; LETTER
08/14/06; ORDER SETTING CIVIL CASE SCHEDULE

Hearing Date:

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of Oct 22 2006 8:15PM at the address of 2217 123RD AVE SE BELLEVUE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon THE "MORMON CHURCH" THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, AN UNINCORPORATED ASSOCIATION by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with GORDON CONGER, REGISTERED AGENT W/M 68 5'11" 175# GRAY HAIR.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: October 26, 2006 at Seattle, WA

by



E. Traina 9604327

Service Fee Total: \$ 66.45



FILED

2005 OCT 30 AM 10:38

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

ROB RINDE f/k/a ROBERT LARRY LEROY
PITSOR,

Plaintiff,

vs.

THE CORPORATION OF THE PRESIDENT
OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation
sole, and the "MORMON CHURCH" THE
CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, an unincorporated association,

Defendant.

NO. 06-2-09825-1 SEA

AMENDED SUMMONS

TO: DEFENDANTS ABOVE NAMED:

A lawsuit has been started against you in the above-entitled court by the above-named Plaintiff. Plaintiff's claims are stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the undersigned attorney for the Plaintiff

SUMMONS - 1 of 2
[171483 v02.doc]

LAW OFFICES
GORDON, THOMAS, HONEYWELL, MALANCA,
PETERSON & DAHEIM LLP
ONE UNION SQUARE
600 UNIVERSITY, SUITE 2100
SEATTLE, WASHINGTON 98101-4165
(206) 675-7500 - FACSIMILE (206) 675-7575

1 within 20 days after service of this summons if within the State of Washington, or within 60
 2 days after service of this summons if outside of the State of Washington, excluding the day of
 3 service, or a default judgment may be entered against you without notice. A default judgment
 4 is one where Plaintiffs are entitled to what they ask for because you have not responded. If
 5 you serve a notice of appearance on the undersigned attorney, you are entitled to notice before
 6 a default judgment may be entered.
 7

8 You may demand that the Plaintiff file this lawsuit with the court. If you do so, the
 9 demand must be in writing and must be served upon the Plaintiff. Within fourteen (14) days
 10 after you serve the demand, the Plaintiff must file this lawsuit with the court, or the service on
 11 you of this summons and complaint will be void.

12 If you wish to seek the advice of an attorney in this matter, you should do so promptly
 13 so that your written response, if any, may be served on time.

14 This summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the
 15 State of Washington.

16 Dated this 18th day of October 2006.

17 GORDON, THOMAS, HONEYWELL,
 18 MALANCA, PETERSON & DAHEIM LLP

19 By: Michelle Menely
 20 Michael T. Pfau, WSBA No. 24649
 21 mpfau@gth-law.com
 22 Michelle A. Menely, WSBA No. 28353
 23 mmenely@gth-law.com
 24 Co-Counsel for Plaintiff

25 LAW OFFICES OF TIMOTHY D. KOSNOFF

26 By: _____
 Timothy D. Kosnoff, WSBA No. 16586
timkosnoff@comcast.net
 Co-Counsel for Plaintiff

ORIGINAL COURT MINUTES

PAGE 96

** PREPARED **
10-04-06 10:51

SHOW CAUSE COMPLIANCE HEARING - SEATTLE
THURSDAY, NOVEMBER 2, 2006
JUDGE DEAN S LUM COURT CLERK
90 DAYS PRIOR DATE AUGUST 4, 2006

Renee Jones

RINDE, ROB } 06-2-09825-1 SEA
VS CORPORATION OF THE PRESIDENT OF
KOSNOFF, TIMOTHY DAVID THE CHURCH OF JESUS CHRIST OF
GORDON, CHARLES COOPER
TILDEN, JEFFREY IVER MP

ORDER TO SHOW CAUSE

-
- ☐ Case is on track; parties to follow civil case schedule.
- ☒ Status conference continued to 1-4-07 unless before
then A confirmation of joinder, a statement of arbitrability or a
dismissal of all claims and parties is filed.
- ☐ Case transferred to Mandatory Arbitration; Statement of Arbitrability to
be filed by _____.
- ☐ Case is dismissed without prejudice.
- ☒ Order is signed.
- ☐ Stricken no appearances.

SCOMIS CODE:

X STAHRG _____ HSTKIC _____ HSTKNA _____ HCNTU

FILED
KING COUNTY, WASHINGTON
NOV 02 2006
SUPERIOR COURT CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

RINDE FKA

Plaintiff / Petitioner

vs.

CORP OF THE PRES OF THE CHURCH OF LATT
Defendant / Respondent

NO. 06-2-09825-1 SEA

ORDER ON SHOW CAUSE HEARING
(Clerk's Action Required)

SCOMIS Code: ORSTAC/ORDSM/ORCNT

I. The Court finds upon initial review that:

- 1.1 The parties were not in compliance with the Case Schedule. The Court further finds:
1.2 ☒ The parties appeared for the hearing. (P's counsel)
1.3 ☐ The parties/_____ failed to appear for the hearing.
1.4 ☐ A Confirmation of Service, showing service on all named parties, has not been filed.
1.5 ☐ The case appears to be subject to mandatory arbitration, but is not yet at issue.
1.6 ☐ Mandatory pleadings having not been filed, the _____ has not moved for default.
1.7 ☐ _____

II. It is hereby ordered:

- 2.1 ☐ This action / _____ is **dismissed** without prejudice.
2.2 ☐ The case is **on track** because it is in substantial compliance with the Case Schedule.
2.3 ☐ The case is fully at issue and subject to **mandatory arbitration**. The Court hereby transfers this case to mandatory arbitration, and a Statement of Arbitrability shall be filed by _____ with payment of \$220.
2.4 ☐ The Court further requires that:

2.5 ☐ **Sanctions / Terms** in the amount of \$ _____ shall be paid by _____ to the King County Clerk / _____ no later than _____ for failure to appear as ordered / comply with court rules / _____.
2.6 ☒ This matter is continued until 1/4/07. Hearing will be stricken if _____.
2.7 **FAILURE TO COMPLY WITH ANY TERMS OF THIS ORDER MAY RESULT IN DISMISSAL OR FURTHER SANCTIONS.**

DATED: 11/2/06


Superior Court Judge Dean S. Lum

rptORSC

06-2-09825-1 SEA

GORDON, CHARLES COOPER
1001 4TH AVE STE 4000
SEATTLE, WA 98154-1007

KOSNOFF, TIMOTHY DAVID
600 UNIVERSITY ST STE 2100
SEATTLE, WA 98101-4161

TILDEN, JEFFREY IVER
1001 4TH AVE STE 4000
SEATTLE, WA 98154-1007

FILED

2008 DEC -7 PM 3:46

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

ROB RINDE f/k/a ROBERT LARRY LEROY
PITSOR, JR.,

Plaintiffs,

v.

THE CORPORATION OF THE PRESIDENT
OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation
sole; and the "MORMON CHURCH" THE
CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, an unincorporated association,

Defendants.

NO. 06-2-09825-1 SEA

CONFIRMATION OF JOINDER OF
PARTIES, CLAIMS AND DEFENSES

ASSIGNED TO THE HONORABLE
WILLIAM L. DOWNING

(CJ) (Clerk's Action Required)

I. () The parties make the following joint representations:

1. This case is **NOT** subject to mandatory arbitration.
[If it is, this report should not be filed; instead, no later than the deadline for
filing this report, a statement of arbitrability should be filed.]
2. No additional parties will be joined.
3. All parties have been served or have accepted service.
4. All mandatory pleadings have been filed.
5. No additional claims or defenses will be raised.

CONFIRMATION OF JOINDER OF PARTIES, CLAIMS ETC., - 1 of 3
[Confirmation of Joinder of Parties etc.doc]

LAW OFFICES
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ORIGINAL

6. The parties anticipate no problems in meeting the deadlines for disclosing possible witnesses and other, subsequent deadlines in the Case Schedule.
7. All parties have cooperated in completing this report.

II. (X) The parties do not join in making the foregoing representations, as explained below (if appropriate, check both the box at left and every applicable box below.)

- () This case IS subject to mandatory arbitration, but not ready yet for the Statement of Arbitrability to be filed.
- () Plaintiff's will be adding other defendant(s).
- () A party remains to be served.
- (X) A mandatory pleading remains to be filed.
- () An additional claim or defense will be raised.
- () An additional claim or defense will be raised.
- () One or more parties anticipate a problem in meeting the deadlines for disclosing possible witnesses or other, subsequent deadlines in the Case Schedule.
- () A party has refused to cooperate in drafting this report.
- (X) Other explanation:

Defendant Corporation of the President of The Church of Jesus Christ of Latter-day Saints ("COP") is the corporation established by The Church of Jesus Christ of Latter-day Saints to interface with secular society. COP has reserved February 9, 2007 for hearing a Motion to Dismiss the unincorporated church as COP believes the church has no capacity to sue or be sued, and thus is not a proper party. If the motion is denied, attorneys for defendant COP will appear and answer on behalf of the unincorporated church. The parties represent and agree that not having the Answer on behalf of the "Mormon Church" at this time will not affect the parties' ability to meet Case Scheduling Deadlines.

Dated this 6th day of December 2006.

GORDON, THOMAS, HONEYWELL,
MALANCA, PETERSON & DAHEIM LLP

By Michelle Menely
Michael T. Pfau, WSBA No. 24649
mpfau@gth-law.com
Michelle A. Menely, WSBA No. 28353
mmenely@gth-law.com
Co-Counsel for Plaintiff

CONFIRMATION OF JOINDER OF PARTIES, CLAIMS ETC., - 2 of 3
[Confirmation of Joinder of Parties etc.doc]

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LAW OFFICES OF TIMOTHY D. KOSNOFF

By Michael Menely Jr
Timothy D. Kosnoff, WSBA No. 16586
timkosnoff@comcast.net
Co-Counsel for Plaintiff

GORDON MURRAY TILDEN LLP

By Per e-mail Attorney
Charles C. Gordon, WSBA No. 21175
Jeffrey I. Tilden, WSBA No. 12219
Michael Rosenberger, WSBA No. 17730
Attorneys for Defendant
The Corporation of the President of the Church
of Jesus Christ of Latter-Day Saints

CONFIRMATION OF JOINDER OF PARTIES, CLAIMS ETC., - 3 of 3
[Confirmation of Joinder of Parties etc.doc]

LAW OFFICES
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ORIGINAL COURT MINUTES

PAGE 19

** PREPARED **
12-06-06 07:25

SHOW CAUSE COMPLIANCE HEARING - SEATTLE
THURSDAY, JANUARY 4, 2007
JUDGE DEAN S LUM COURT CLERK
90 DAYS PRIOR DATE OCTOBER 6, 2006

Renee Jones

06-2-09825-1 SEA
RINDE, ROB VS CORPORATION OF THE PRESIDENT OF
KOSNOFF, TIMOTHY DAVID THE CHURCH OF JESUS CHRIST OF
GORDON, CHARLES COOPER
TILDEN, JEFFREY IVER
ORDER OF CONTINUANCE /SHOW CAUSE

-
- ☐ Case is on track; parties to follow civil case schedule.
- ☒ Status conference continued to 3-1-07 unless before
when A confirmation of joinder, a statement of arbitrability or a
dismissal of all claims and parties is filed.
- ☐ Case transferred to Mandatory Arbitration; Statement of Arbitrability to
be filed by _____.
- ☐ Case is dismissed without prejudice.
- ☒ Order is signed.
- ☐ Stricken no appearances.

SCOMIS CODE:

STAHRG HSTKIC HSTKNA HCNTU

FILED
KING COUNTY, WASHINGTON

JAN 09, 2007

SUPERIOR COURT CLERK
RENEE JANES
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

RINDE FKA

Plaintiff / Petitioner

vs.

CORP OF THE PRES OF THE CHURCH OF LATT
Defendant / Respondent

NO. 06-2-09825-1 SEA

ORDER ON SHOW CAUSE HEARING
(Clerk's Action Required)

SCOMIS Code: ORSTAC/ORDSM/ORCNT

I. The Court finds upon initial review that:

- 1.1 The parties were not in compliance with the Case Schedule. The Court further finds:
 1.2 ☐ The parties appeared for the hearing.
 1.3 ☐ The parties/_____ failed to appear for the hearing.
 1.4 ☐ A Confirmation of Service, showing service on all named parties, has not been filed.
 1.5 ☐ The case appears to be subject to mandatory arbitration, but is not yet at issue.
 1.6 ☐ Mandatory pleadings having not been filed, the _____ has not moved for default.
 1.7 ☒ Confirmation of Joinder with first box checked has not been filed

II. It is hereby ordered:

- 2.1 ☐ This action / _____ is dismissed without prejudice.
 2.2 ☐ The case is **on track** because it is in substantial compliance with the Case Schedule.
 2.3 ☐ The case is fully at issue and subject to **mandatory arbitration**. The Court hereby transfers this case to mandatory arbitration, and a Statement of Arbitrability shall be filed by _____ with payment of \$220.
 2.4 ☐ The Court further requires that:

 2.5 ☐ **Sanctions / Terms** in the amount of \$ _____ shall be paid by _____ to the King County Clerk / _____ no later than _____ for failure to appear as ordered / comply with court rules / _____.
 2.6 ☒ This matter is continued until 3-1-07. Hearing will be stricken if _____.
 2.7 **FAILURE TO COMPLY WITH ANY TERMS OF THIS ORDER MAY RESULT IN DISMISSAL OR FURTHER SANCTIONS.**

DATED: 1-9-07

John P. Erick
Superior Court Judge Dean S. Lum

rptORSC

John P. Erick
06-2-09825-1 SEA

GORDON, CHARLES COOPER
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TILDEN, JEFFREY IVER
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SEATTLE, WA 98154-1007

FILED

2007 JAN 11 PM 4:50

CLERK
SUPERIOR COURT CLERK
SEATTLE, WA.

The Honorable William L. Downing
Hearing Date: February 9, 2007 at 11:15 a.m.

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

ROB RINDE f/k/a ROBERT LARRY LEROY
PITSOR, JR.,

Plaintiff,

v.

THE CORPORATION OF THE PRESIDENT
OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation
sole; and the "MORMON CHURCH" THE
CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, an unincorporated association,

Defendants.

NO. 06-2-09825-1 SEA

CORPORATION OF THE
PRESIDENT OF THE CHURCH OF
JESUS CHRIST OF LATTER-DAY
SAINTS' MOTION TO DISMISS
AND/OR MOTION FOR SUMMARY
JUDGMENT

I. INTRODUCTION

Plaintiff alleges that approximately 25 years ago he was sexually abused by a Scout Master of the Boy Scouts who was a member of The Church of Jesus Christ of Latter-day Saints ("the Church" or "the LDS Church"). Although the abuser was not a member of the clergy, Plaintiff alleges that defendants had a duty to prevent such abuse. By this motion, defendant Corporation of the President of The Church of Jesus Christ of Latter-day Saints ("COP") moves to dismiss the Church as a party. COP stands in the shoes of the Church and brings this motion

CORPORATION OF THE PRESIDENT OF THE CHURCH OF
JESUS CHRIST OF LATTER-DAY SAINTS' MOTION TO
DISMISS - 1

GORDON MURRAY TILDEN LLP
1001 Fourth Avenue, Suite 4000
Seattle, WA 98154-1007
Phone (206) 467-6477
Fax (206) 467-6292

ORIGINAL

1 on the Church's behalf because, as discussed below, the Church has no capacity to sue, be sued,
2
3 or participate in litigation.
4

5 Defendant COP is a corporation organized nearly 75 years ago as a legal vehicle for the
6
7 Church's interface and relationship with secular society. COP possesses assets, enters contracts
8
9 to carry out the business of the Church, hires and pays employees, and has the capacity to file
10
11 suit and be sued. COP is registered to conduct business in the State of Washington and has
12
13 identified an agent for service of process. In contrast, the Church exists solely as a spiritual and
14
15 ecclesiastical entity which possesses no assets or property, does no business in any state, and has
16
17 no employees. According to Church doctrine, the Church functions as the Kingdom of God on
18
19 earth. The Church is not incorporated or registered to do business, and has no agent for service
20
21 of process.
22

23 COP moves to dismiss the Church from this suit for two reasons. First, the Church lacks
24
25 capacity to be sued. Once a religious organization has seen fit to incorporate, it is solely this
26
27 legal entity that can be sued. The corresponding ecclesiastical, unincorporated church lacks any
28
29 legal existence. Enforcing this principle would cause no prejudice to plaintiff's liability or
30
31 damages case. COP concedes it is liable for any negligence of the Church and COP's assets are
32
33 available to satisfy any judgment. Thus, for example, counsel for the parties tried a similar
34
35 sexual abuse case in the Western District of Washington just a few months ago, and the sole
36
37 defendant in that case was COP. COP proposed a jury instruction, which Judge Ricardo S.
38
39 Martinez gave, that advised the jury that COP "stands in the shoes of the Church."
40

41 That is as equally true here as it was there. Because COP stands in the shoes of the
42
43 Church, the Church has no assets, and any judgment would be paid by COP, the Church is
44
45